

Atty. Dkt. No. K01-001
(formerly 0002.US00)

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 58, 60, 61, 65, 66, 67, 82, 84, 85 and 102 are currently being amended. New claims 103-107 have been added.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 58-107 are now pending in this application.

Double Patenting Rejection

Claims 58-102 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-114 of copending Application No. 09/740,761. If necessary, Applicant will file a terminal disclaimer upon allowance of any claims in the pending application.

Rejections under 35 U.S.C. § 101

Claim 102 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. As suggested by the Examiner, Applicant has amended the preamble of claim 102. The rejection should now be withdrawn.

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Rejections under 35 U.S.C. § 112

Claims 58-81 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicant has amended claim 58 to delete the term "and". Claim 58 has been further amended to recite "one or more virtual plaques" to provide sufficient antecedent basis. As to claims 65-67, Applicant has amended these claims to overcome the rejection under 35 U.S.C. § 112. Accordingly, the claims are now in definite form, and the rejection should be withdrawn.

Rejections under 35 U.S.C. § 102

Claim 102 was rejected under 35 U.S.C. § 102(b) as being anticipated by www.redcross.org (January 25, 1999). Applicant respectfully traverses this rejection for at least the following reasons.

Claim 102, as amended, recites a computer-readable medium containing code for instructing a computer to carry out a method for conducting a fundraising campaign. The method includes, *inter alia*, "providing a link to a personal donation page; receiving a charitable contribution via the personal donation page; displaying one or more web pages with a virtual plaque honoring the donor"

The cited reference merely shows a webpage for a nonprofit organization and fails to teach or suggest any of the features noted above. For example, there is no teaching in www.redcross.org (January 25, 1999) of providing a link to a personal donation page. Similarly, other features of amended claim 102 are absent from the cited reference.

Accordingly, claim 102 is patentable over www.redcross.org (January 25, 1999).

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Rejections under 35 U.S.C. § 103

Claims 58-102 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication 2002/0049816 to Costin, IV et al. (hereinafter "Costin"), in view of the Smith et al. article (hereinafter "Smith") and BT article (hereinafter "the BT article") or Leukaemia Busters article (hereinafter "the Leukaemia article"). Claims 58-102 are further rejected under 35 U.S.C. § 103(a) as being unpatentable over Costin in view of Smith, the article by David King (hereinafter "King") and the BT article. Applicant respectfully traverses these rejections for at least the following reasons.

The present invention relates to systems and methods for on-line, interactive fundraising. The embodiments of the invention allow for solicitors to register and facilitate fundraising by directing potential donors, such as friends or family members, to a personal donation page. In one embodiment, email messages are sent to potential donors with a link to the solicitor's personal donation page. The personal donation page is intended to encourage the potential donors to make a charitable contribution to the fundraising campaign. In some embodiments, this is achieved by providing the name of the solicitor along with the solicitor's personal campaign goal. In this manner, friends and family are encouraged to donate and help the solicitor reach his or her personal campaign goal. The potential donors may then be directed to a donation page to make a charitable contribution. Accordingly, independent claim 58, as amended, recites "a link to a personal donation page in one or more email messages . . . , the personal donation page having the name and personal campaign goal of a solicitor registered on the website." Independent claims 82 and 102, as amended, also recite similar features. Further new claim 103 recites the same features.

The Office Action cites Costin as disclosing these features of the present invention. Applicant respectfully disagrees with this interpretation of the disclosure of Costin. Although Costin discloses allowing the setting up of a personalized campaign page (paragraph [0010]), the personalized campaign page of Costin does not play the same role in the fundraising campaign as the personal donation page of the present invention. For example, Costin neither teaches nor

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suggests providing "the name and the personal campaign goal of a solicitor" on the personalized campaign page. In fact, Costin fails to disclose any details of the personalized campaign page that would encourage potential donors to make a charitable contribution. Thus, Costin fails to teach or suggest at least this feature of the independent claims 58, 82 and 102, as well as new claim 103. Each of the other cited references also fails to teach or suggest this feature.

Thus, independent claims 58, 82, 102 and 103 are patentable.

Additionally, some embodiments of the present invention allow a donor to make a charitable contribution through the personal donation page. Thus, an email from the solicitor, for example, may include a link to the solicitor's personal donation page. The potential donor may follow the link to the personal donation page, from where the potential donor may make the charitable contribution. This is most clearly illustrated in Figure 9 of U.S. Patent Application Serial No. 09/740,761 (hereinafter "the '761 Application"), which is incorporated by reference into the present application. This feature provides a substantial advantage: being solicited for a donation on the personal donation page of the solicitor (who is likely a friend or family member), the potential donor is more likely to make a charitable contribution. Accordingly, independent claims 58, 82 and 102 each recite "receiving a charitable contribution via the personal donation page...."

As noted above, Costin fails to disclose any details of the personal campaign page. Costin neither teaches nor suggests providing a donor with the ability to donate via the personal donation page. Instead, Costin discloses directing potential donors to the main campaign page of the cause or organization.

Further, some embodiments of the invention encourage potential donors to give charitable contributions by providing recognition of donors. In this regard, a donor-driven virtual plaque may be displayed on one or more web pages. Thus, a donor may specify the content of at least a portion of the virtual plaque. For example, as described in the specification of the '761 Application, "[a] donor may choose the specific words and language inscribed in the virtual

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plaque and is further able to modify the virtual plaque at a later time." The '761 Application, Paragraph [0040]. Accordingly, independent claims 58, 82 and 102 each recite "updating, pursuant to instructions from the donor, one or more virtual plaques displayed on one or more web pages to recognize new donors."

The Office Action cites Smith and King as disclosing and/or being relevant to this feature. Applicant respectfully disagrees for at least the following reasons.

Regarding King, the publication date on the article is noted as "Fall 2000", while the Examiner has handwritten the date, "August 10, 2000." It is unclear how the Examiner obtained this date. Further, Applicant has submitted herewith an affidavit from inventors Dr. Harry Gruber and Dr. Allen Gruber, along with documentation exhibiting conception of the invention prior to the August 10, 2000, date of the King reference. Accordingly, King should be withdrawn as a prior art reference.

Smith fails to teach or suggest "updating, pursuant to instructions from the donor, one or more virtual plaques displayed on one or more web pages to recognize new donors." Smith describes a study regarding the affect of providing potential donors with an anchor donation level. Smith merely arrives at a conclusion that exposing potential donors to a list of other donors and the size of their donations results in an increased likelihood of donation and an increased average level of donation. However, Smith does not relate to interactive fundraising over a network. Thus, Smith neither contemplates nor discloses receiving input from the donor as to content of any recognition. Further, none of the cited references teach or suggest this feature.

Thus, independent claims 58, 82, 102 and 103 are patentable for at least the foregoing reasons. Claims 59-81 and 106 depend, either directly or indirectly, from allowable claim 58 and are, therefore, patentable for at least that reason, as well as for additional patentable features when those claims are considered as a whole. Similarly, claims 83-101 and 107 depend, either directly or indirectly, from allowable claim 82 and are, therefore, patentable for at least that

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reason. New claims 104 and 105 depend directly from allowable claim 103. Claims 104 and 105 are, therefore, patentable, for at least that reason.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-1674. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-1674. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-1674.

Respectfully submitted,

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